

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

UNITED STATES OF AMERICA)
v.) No. 4:23-cr-13
JOHNNY BARBOUR)
) Judge Curtis L. Collier
) Magistrate Judge Christopher H. Steger

O R D E R

This matter is before the Court on the report and recommendation (“R&R”) of Magistrate Judge Christopher Steger, recommending the Court grant Defendant Johnny Barbour’s motion to suppress certain evidence against him. (Doc. 35.) The United States (“the Government”) timely objected to the R&R. (Doc. 40.) Defendant responded (Doc. 43), and the Government replied (Doc. 44).

For the reasons stated in the accompanying memorandum, the Government’s objections to the R&R (Doc. 40) are **OVERRULED in part** and **SUSTAINED in part**. Specifically, the Government’s objection to the R&R finding that the search warrant did not support probable cause is **OVERRULED** and its objection to the finding that the good faith exception did not apply is **SUSTAINED**. The R&R (Doc. 35) is **REJECTED in part** as to §§ IV.B, IV.C, and V, and to the extent it recommends granting Defendant’s motion to suppress, and is **ADOPTED in all other respects**. Defendant’s motion to suppress (Doc. 13) is **DENIED**.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE